IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT

JODHPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 3175/2006

Smt. Sugan Kanwar @ Sugnabai
Vs.
Rajasthan Non-Government Educational Institution Tribunal, Jaipur & Ors.

Date of Order : 21/03/2007

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. B.P.Rajpurohit for the petitioner.
Mr. Vimal Mathur for the respondents.

BY THE COURT:-

By the instant writ petition under Article 226 and 227 of the Constitution of India, the petitioner has challenged the orders Annex.8 dated 30.4.2002 and Annex.9 dated 7.2.2004 and claims salary with effect from April, 2001 to March, 2002 for a period of one year.

An office order, Annex.1 dated 1.07.95 shows that the petitioner Smt. Sugan Kanwar was paid consolidated salary @ Rs. 500/- per month which vide order Annex.2 dated 4.6.96 was enhanced to Rs. 750/- per month w.e.f. June 1996, vide

order Annex.3 dated 9.11.1996 enhanced from Rs. 750/- to Rs. 1000/- w.e.f. 1.11.1996, by order Annex.4 dated 29.3.1997 enhanced to Rs. 1200/- w.e.f. 1.4.1997, by order Annex.5 dated 10.8.98 enhanced to Rs. 1800/- w.e.f. August 1998 and by order Annex.6 dated 8.2.1999 the salary of the petitioner was enhanced to Rs.2300/- per month. The petitioner claims salary at the rate of Rs. 2300/- per month w.e.f. April 2001 to March, 2001 for a period of one year.

The husband of the petitioner was a class IV employee with the respondent who expired on 5.3.1972 while on duty and after his death, the petitioner requested the respondents for her appointment. It appears from the various documents placed on record that the petitioner was engaged by the respondents vide order Annex.1 dated 1.7.1995 at the consolidated salary of Rs. 500/- per month and thereafter his salary was enhanced as stated above. The documents placed on record have not been disputed by the respondents.

In the circumstances, therefore, in my view the petitioner is entitled for the payment of salary for the period w.e.f. April, 2001 to March, 2002 at the rate of Rs. 2300/- per month.

In this view of the matter, the respondents are directed to pay the salary to the petitioner at the rate of Rs. 2300/- per month w.e.f. 1.4.2001 to 31st March, 2002 within two months from today.

With these directions, the writ petition stands disposed of. No order as to costs.

(H.R.PANWAR),J.

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